

Appl. No. 10/050,242
Amdt. Dated December 16, 2003
Reply to Office Action of September 23, 2003

•• REMARKS/ ARGUMENTS ••

The Official Action of September 23, 2003 has been thoroughly studied. Accordingly, the changes presented herein for the application, considered together with the following remarks, are believed to be sufficient to place the application into condition for allowance.

By the present amendment, independent claim 1 has been changed to recite that the assembly sheets are bonded to each other "only along edges of the sheets using a continuous bonding line that extends only along edges of the sheets."

This change to claim 1 was made in consideration of the Examiner's statement on page 2 of the Official Action in which the Examiner stated that "[t]he claim does not state that the only bonding line is along the perimeter of the sheets."

Note the recitation of "the only bonding line" may create problems with several of the embodiments of applicants' invention, such as for example the embodiment depicted in Fig. 8 which includes auxiliary (discrete) bonding lines.

It is believed that the amendment presented herein is proper after final rejection inasmuch as the Examiner has noted that "[a]s written it could be confused that...." (emphasis added), and that "[t]he present claim 1...confuses the reader..." (emphasis added).

The Examiner's statement that the language of claim 1 could be confused and is confusing conflicts with 35 U.S.C. §112, second paragraph that requires that the specification "shall conclude

Appl. No. 10/050,242
Amdt. Dated December 16, 2003
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with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.”

Under such circumstances it is proper to enter amendments after final rejection which address and overcome issues under 35 U.S.C. §112, second paragraph.

Accordingly, it is believed that the changes presented herein for claim 1 are properly enterable after final rejection.

It is moreover proper to allow amendments after final rejection when such amendments clearly place an application into condition for allowance and when such amendments do not raise any new issues.

In the present situation it is noted that the Examiner has indicated that claim 1 previously did not clearly indicate that the only bonding line used to secure the sheets together is located along the perimeter of the sheets.

Accordingly, the changes presented herein for claim 1 does not raise any issue which has not already been presented on the record.

The Examiner has indicated that a “better recitation” would be to state “wherein no other adhesive bonding is located within the sheets.”

The undersigned was under the impression that negative limitations are improper.

Moreover, the Examiner will again note that several of the embodiments of applicants’ invention, such as for example the embodiment depicted in Fig. 8 which include auxiliary (discrete)

Appl. No. 10/050,242
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bonding lines. So that the recitation of no other adhesive bonding located within the sheets become troublesome.

Entry of the changes to claim 1 is respectfully requested.

Also by the present amendment, minor changes have been made to the claims which address and correct matters of grammar.

Entry of the changes to the claims is respectfully requested.

Claims 1-17 are pending in this application.

Claims 1-4 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,504,977 to King et al.

On page 3 of the Official Action the Examiner objected to claims 5-11 as being dependent upon a rejected base claim, but has otherwise indicated that claims 5-11 are directed to allowable subject matter.

Claims 12-17 are presently allowed.

For the reasons set forth below, it is submitted that all of the pending claims are allowable over King et al. and the outstanding rejection of claims 1-4 should properly be withdrawn.

Favorable reconsideration by the Examiner is earnestly solicited.

In the *Response to Arguments* section of the Office Action the Examiner has stated that claim 1 "does not specifically state that the sheets are adhered or bonded to each other only along the perimeter edges."

This indicates that such a limitation would distinguish over King et al.

Appl. No. 10/050,242
Amdt. Dated December 16, 2003
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As amended herein claim 1 recites that the assembly sheets are bonded to each other "only along edges of the sheets using a continuous bonding line that extends only along edges of the sheets."

This recitation is believed to distinguish over King et al. in the manner suggested by the Examiner, i.e. by excluding the lines of adhesive 28 that King et al. extend across the center of patch 20.

Based upon the above distinctions between the prior art relied upon by the Examiner and the present invention, and the overall teachings of prior art, properly considered as a whole, it is respectfully submitted that the Examiner cannot rely upon the prior art as required under 35 U.S.C. §102 as anticipating applicants' claimed invention.

It is, therefore, submitted that any reliance upon prior art would be improper inasmuch as the prior art does not remotely anticipate, teach, suggest or render obvious the present invention.

It is submitted that the claims, as now amended, and the discussion contained herein clearly show that the claimed invention is novel and neither anticipated nor obvious over the teachings of the prior art and the outstanding rejection of the claims should hence be withdrawn.

Therefore, reconsideration and withdrawal of the outstanding rejection of the claims and an early allowance of the claims is believed to be in order.

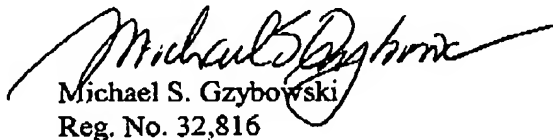
It is believed that the above represents a complete response to the Official Action and reconsideration is requested.

Appl. No. 10/050,242
Amdt. Dated December 16, 2003
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If upon consideration of the above, the Examiner should feel that there remains outstanding issues in the present application that could be resolved, the Examiner is invited to contact applicants' patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,



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